

REMARKS

This Reply to Office Action is responsive to the Office Action mailed on March 28, 2005. Claims 17-47 are pending in the present Application. Applicants have canceled claims 40-43 and 45, amended claims 46 and 47, and added claim 48. Accordingly, claims 17-39, 44 and 46-48 are now at issue.

With this Reply, Applicants submit a Petition for a Three-Month Extension of Time, making Applicants' Reply due on or before September 28, 2005. Accordingly, Applicants' Reply is timely filed.

The Examiner objected to the drawings under 37 C.F.R. 1.83(a), because the V-shaped frame required by claims 42 and 43 is not shown in the drawings. Applicants note that, in paragraph [0033], U.S. Patent Application Serial No. 09/916,923, now U.S. Patent No. 6,866,541, is incorporated by reference and discloses a V-shaped frame. However, Applicants have canceled claims 42 and 43, in order to move this case to allowance. Thus, Applicants submit that the Examiner's drawings objection is rendered moot.

The Examiner rejected claims 17-20, 22-28, 30-37, 39-41 and 44-47 under § 103(a) as being unpatentable over *Curry, et al.* (U.S. 6,053,764) in view of *Arnett* (U.S. 5,302,140). The Examiner also rejected claims 21 and 38 under § 103(a) as being unpatentable over *Curry* in view of *Arnett*, and further in view of *Rutkowski, et al.* (U.S. 5,639,261). The Examiner further rejected claim 29 under § 103(a) as being unpatentable over *Curry* in view of *Arnett*, and further in view of *Gutierrez, et al.* (U.S. 6,585,540). The Examiner also rejected claim 41 under § 103(a) as being unpatentable over *Morgan, et al.* (U.S. 5,129,842) in view of *Arnett*. The Examiner further rejected claims 42 and 43 under §

102(b) as being anticipated by *Morgan*. However, Applicants submit that claims 17-47 are patentable over the cited prior art, taken alone or in combination.

As shown in FIG. 2, independent claim 17 requires a frame 22 having a top flange 30 and a bottom flange 34. Frame 22 includes a plurality of faceplate openings 38. As best seen in FIG. 12, faceplate 24 is mountable to the frame 22 within the top flange 30 and the bottom flange 34, and the faceplate 24 has a plurality of mounting openings. Each mounting opening has at least one modular jack retention latch 64 or 66 (see FIG. 6). Patch panel 20 also includes at least one modular jack 26 mountable into a rear side of the faceplate 24.

The Examiner rejected independent claim 17 under § 103(a) as being unpatentable over *Curry, et al.* (U.S. 6,053,764) in view of *Arnett* (U.S. 5,302,140). However, Applicants' undersigned attorney believes that the Examiner intended his secondary reference to be *Arnett* (U.S. 5,238,426) instead of U.S. 5,302,140. Accordingly, Applicants' Remarks will address the *Arnett* '426 patent.

The Examiner contends that *Curry* discloses a patch panel comprising a frame (12) having a top flange and a bottom flange, the frame including a plurality of faceplate openings (23); a faceplate (14) mountable to the frame within the top flange (at 29) and the bottom flange (at 33), the faceplate having a plurality of mounting openings (16); and at least one modular jack (17) mountable into a rear side of the faceplate. The Examiner also admits that *Curry* does not disclose the jack retention latch in the mounting opening. However, the Examiner contends that *Arnett* teaches a faceplate (30) having a mounting opening (16) and a mounting opening having at least one modular jack retention latch (59) to hold the connector secured to the faceplate. Therefore, the Examiner contends that it

would have been obvious to a person of ordinary skill in the art at the time the invention was made to form the mounting opening of the faceplate with a retention latch, as taught by *Arnett*, to hold the connector secured to the faceplate.

Applicants submit that *Curry* does not disclose, teach or suggest a frame 22 having a top flange 30 and a bottom flange 34. Applicants submit that top edge 29 and bottom edge 33 of *Curry*, which the Examiner contends correspond to a top flange and a bottom flange, respectively, are only edges of aperture 23 and not top and bottom flanges. Moreover, Applicants submit that *Curry* does not disclose, teach or suggest a faceplate 24 mountable to the frame 22 within the top flange 30 and the bottom flange 34. As discussed in column 5, lines 32-36, *Curry* discloses a panel 12 having a plurality of apertures 23 therein, generally of rectangular shape, and the face 24 of front housing 14 has a rectangularly shaped raised portion 26 which fits snugly with the corresponding aperture 23. Only the raised portion 26 is mountable within aperture 23 and, thus, front housing 14 is not mountable to the patch panel 12 within the top edge 29 and the bottom edge 33. Applicants further submit that *Arnett* does not disclose, teach or suggest a mounting opening having at least one modular jack retention latch 64 or 66, as required by claim 17. Accordingly, Applicants submit that independent claim 17 is patentable over the cited prior art, taken alone or in combination. Claims 18-39 are asserted to be allowable based on their dependency from allowable claim 17.

Applicants have canceled claims 40-43 and 45, in order to move this case to allowance. However, Applicants do not concede that claims 40-43 and 45 are unpatentable, and Applicants reserve the right to pursue those claims in continuations of this application.

For at least the reasons discussed above regarding independent claim 17, Applicants submit that independent method claim 44 is patentable over the cited prior art, taken alone or in combination. Dependent method claims 46 and 47 have been amended to depend from independent claim 44. Thus, claims 46 and 47 are asserted to be allowable based on their dependency from allowable claim 44.

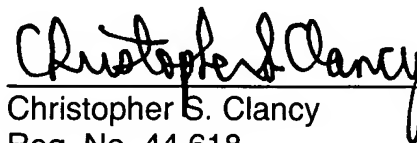
New independent claim 48 includes all of the limitations of independent claim 17, and further recites "a frame having a top flange and a bottom flange extending rearwardly from the frame" As discussed above regarding independent claim 17, Applicants submit that *Curry* does not disclose, teach or suggest, among other things, a frame having a top flange 30 and a bottom flange 34. However, even if the Examiner still contends that *Curry* discloses a frame having a top flange and a bottom flange, Applicants submit that *Curry* does not disclose a top flange 30 and a bottom flange 34 extending rearwardly from the frame 22. Accordingly, Applicants submit that new independent claim 48 is patentable over the cited prior art, taken alone or in combination.

In view of the above, Applicant submits that claims 17-39, 44 and 46-48 are allowable and favorable reconsideration is respectfully requested.

Dated: September 14, 2005

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Respectfully submitted,



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